

March 3, 2008

Manuel Albert Martinez  
Daniel Kirk Slaughter  
Stein and Lubin  
600 Montgomery Street, 14<sup>th</sup> Floor  
San Francisco, California 94111

Charles Michael O'Connor  
United States Attorney's Office  
Northern District of California  
450 Golden Gate Avenue, 9<sup>th</sup> Floor  
P.O. Box 36055  
San Francisco, California 94102

Re: *CCIP, L.P., et al. v. United States*; No. 07-CV-04344 JSW

Dear Counsel:

As you know, I have been appointed by the District Court to serve as the mediator in this case under the court's Mediation program. Please be sure to review carefully ADR L.R. 6 which governs the Mediation program. I have attached a description of my professional experience.

Pursuant to ADR L.R. 6-6, I will conduct a phone conference with all counsel before the formal mediation to discuss the following:

- the procedures to be followed;
- the nature of the case;
- appropriate dates for the mediation and anticipated length of the session;
- the parties who will be present at the session;
- ideas to improve the effectiveness of the mediation session or matters that could pose impediments;
- requirements for your written mediation statements; and
- any questions you might have about the mediation program.

I anticipate that the telephone conference will last approximately one-half hour. Please send me an email ([emblidge@meqlaw.com](mailto:emblidge@meqlaw.com)) regarding your availability for a phone conference on March 11 or 19.

Before the telephone conference, please find out from your clients and any insurers a selection of dates upon which the mediation can be scheduled. The District Court has ordered that this mediation occur on or before April 27, 2008.

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My conflicts check revealed no actual or potential conflicts of interest under 28 U.S.C. §455(a) and (b), and I am not aware of any other circumstances that would compromise my impartiality or the appearance of impartiality.

Sincerely,

MOSCONE, EMBLIDGE & QUADRA, LLP

G. Scott Emblidge

cc: Clerk's Office-ADR Unit

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Scott Emblidge handles general civil litigation cases at the trial and appellate levels. He also advises clients regarding constitutional and municipal law issues, governmental contracting requirements, and governmental regulations, including land use regulations.

Prior to forming Moscone, Emblidge & Quadra in 1998, Mr. Emblidge was a deputy city attorney with the San Francisco City Attorney's Office for over 10 years, where he served as general counsel for San Francisco's Municipal Railway, Recreation and Parks Commission and Human Rights Commission. Prior to working in the San Francisco City Attorney's Office, Mr. Emblidge was an associate in the litigation department of Brobeck, Phleger & Harrison. Mr. Emblidge has extensive litigation experience in federal and state trial and appellate courts. He also has substantial experience representing clients before local governmental boards and commissions. In addition, he provides advice and litigation support as outside counsel to a number of Bay Area public entities.

Mr. Emblidge's litigation experience includes cases involving constitutional law, real property and land use disputes, construction and other contract disputes, employment law, general municipal law, disability rights, and intellectual property and trade secrets. He also has significant experience with class action litigation. As a deputy city attorney, Mr. Emblidge drafted legislation for San Francisco's Mayor and Board of Supervisors on a wide range of subjects, including First Amendment, gun control and anti-discrimination issues.

Mr. Emblidge serves as a mediator for the United States District Court, Northern District of California and for the California Court of Appeal, First Appellate District. He also has provided services to the San Francisco Superior Court's Early Settlement Program.

Mr. Emblidge received his law degree, cum laude, from Harvard Law School and a B.A. in Political Science, with Highest Honors, from California State University at Fullerton.